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NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.

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CHIEF COMMISSIONER OF STATE TAXES
ANDHRA PRADESH :: VIJAYAWADA.

SHOW CAUSE NOTICE

CCST's Ref No DXZ(3)/397/2015-2,

Dt: 25.06.2021.

INTEGRATED SENIORITY LIST OF DCTOs OF A.P. STATE FOR THE PANEL YEAR 2004-05 - APPEAL PETITION FILED BY Sri S.U.M. JANADEV, DCTO AND OTHERS AGAINST THE FINALIZED INTEGRATED SENIORITY IN THE CADRE OF DCTO PUBLISHED IN GAZETTE NO.20, Dt: 18.04.2017 - APPEAL ALLOWED - DIRECTED TO REVISE THE SENIORITY LIST PUBLISHED IN GAZETTE NO.20, Dt: 18.04.2017 AND PREPARE FRESH INTEGRATED SENIORITY LIST OF DCTOs FOR THE PANEL YEAR 2004-05 UNDER THE PROVISIONS OF RULE 34 READ WITH RULE 33 (a) OF A.P. STATE AND SUBORDINATE SERVICE RULES - SHOW CAUSE NOTICE - ISSUED - OBJECTIONS CALLED FOR

- Ref:-
1. A.P. Extraordinary Gazette No.163, dated: 15.06.2015.
 2. Govt. Memo No.20951/CT.I(1)/2015, dt:25.04.2016.
 3. CCT's Ref.No.DXZ(3)/397/2015, dated 08.12.2016.
 4. CCT's Ref.No.DXZ(3)/397/2015-1, dt: 10.04.2017.
 5. CCTs Ref.No.DXZ(3)/397/2015, dt: 28.08.2018.
 6. A.P. Gazette No. 484, dt:14.09.2019.
 7. Appeal Petition of Smt. A. Kalyani and other six DCTOs of Zone-I filed before the Govt. dt: Nil (received on 16.08.2017).
 8. Govt. Memo NO.34022/105/2017-CT.I, Rev (CT.I) Dept dt: 19.03.2020.
 9. Interim orders of the Hon'ble High Court of AP in W.P.No.6225/2021, dt: 18.03.2021.

1. The integrated seniority list of DCTOs was finalized for the penal years 1975-76 to 2004-05 in different spells on 03.06.2015 and the same was published vide reference 1st cited.
2. Against the integrated seniority list of DCTOs for the penal year 2004-05 certain DCTOs of Zone-I filed appeal petition before the Government questioning the integrated seniority lists finalized by the Commissioner of Commercial Taxes on the ground that they were not given an opportunity to submit their objections before finalizing the lists.
3. Considering the representation, Government have issued a Memo vide ref.2nd cited directing the Chief Commissioner of State Tax (CCST) of Andhra Pradesh to treat the already finalized integrated seniority lists in Gazette No.163, dt:15.06.2015 as show cause notice and proceed to pass fresh orders by following due procedure of giving an opportunity to the aggrieved DCTOs to present their case before him.
4. As per the instructions of the Government issued vide reference 2nd cited, and as per consent given by the Commissioner of Commercial Taxes, Telangana, it is decided to give an opportunity to affected persons, who were included in the penal year 2004-05 in the integrated seniority list of DCTOs for the penal year 2004-05.
5. In the reference 3rd cited the State-wide integrated combined seniority list of DCTOs for the penal year 2004-05 was communicated to the persons of Zone-I covered and requested to file their written statement of objections, if any, within(15) days from the date of issue of this Notice (or) publication of this Notice in the Departmental website, failing which, it will be construed that they have no objections to the proposed combined seniority and that orders will be passed without further notice or time.
6. In the ref. 4th cited finalized the integrated seniority list of DCTOs for the panel year 2004-05 after following due procedure and rejecting the objections raised by the DCTOs of Zone-I and published the lists in Gazette No.20, dt:18.04.2017.
7. In the reference 5th cited, the Integrated seniority list of DCTOs of all zones was revised for the panel year 2004-05 due to revision of zonal seniority in the cadre of DCTO in Zone -III and IV.
8. In the reference 6th cited, the Integrated seniority list of DCTOs of all zones was revised for the panel year 2004-05 due to revision of zonal seniority in the cadre of DCTO in Zone -II and III.
9. In the ref.7th cited certain DCTOs of Zone-I filed appeals before the Government with a prayer to set aside the seniority lists finalized the Chief Commissioner of State Tax vide Gazette No.20, dt:18.04.2017 as the same contravene the provisions of Rule 33 (a) of A.P. State and Sub-ordinate Service Rules, 1996 under which the seniority of a person in any cadre shall have to be fixed based on the date of his first appointment to that post. Though the DCTOs have raised certain other objections, their main objection is contravention of Rule 33 (a) by the CCST while preparing the seniority lists.

10. In the ref. 8th cited, the Government, while allowing the appeals filed by the DCTOs of Zone-I, direct the Chief Commissioner of State Tax to revise the seniority lists published in Gazette No.20, dt:18.04.2017 and prepare fresh integrated seniority lists of DCTOs of A.P. State for the panel years 2003-04 and 2004-05 strictly following the provisions of Rule 34 read with Rule 33(a) of AP State and Sub-ordinate Service Rules. While doing so, the Chief Commissioner of State Tax may reconcile the contradictions in the number of vacancies pointed out in the Government Memo.

11. The Government vide ref. 8th cited stated that there are contradiction between the vacancies published in Gazette No. 303, Dt. 30-05-2006 and Gazette No.163, Dt.15-06-2015. These contradictions need to be reconciled.

12. In Gazette No.303, dt:30.05.2006 and Gazette No.163 dt:15.06.2015, number of DCTOs included from 1975-76 to 2004-05 are as follows:

Panel year	No.of DCTO included							
	Zone-I		Zone-II		Zone-III		Zone-IV	
	Gazette No.303, dt:30.05.2006	Gazette No.163, dt:15.06.2015	G.No. 303	G.No. 163	G. No. 303	G.No. 163	G. No. 303	G.No. 163
1997-98	3	3	13	13	16	17	15	15
1998-99	6	6	8	8	2	2	5	6
1999-00	5	5	6	6	8	9	6	5
2000-01	5	5	7	7	4	4	4	4
2001-02	2	2	9	9	2	2	3	3
2002-03	3	3	13	13	5	6	4	4
2003-04	8	8	45	40	25	22	13	13
2004-05	11	11	24	20	14	9	37	38
TOTAL	43	43	125	116	76	71	87	88

Remarks:

1. Zone-I: No variation in vacancies.
2. Zone-II: 9 DCTO posts are carry forward to the next panel year as the minimum period of 3 years service is required for qualifying post of DCTO.
3. Zone-III: 5 DCTO posts are carry forward to the next panel year as the minimum period of 3 years service is required for qualifying post of DCTO
4. Zone-IV: One Retired person was included.

13. In view of the above, it is noticed that there is no contradiction between the vacancies published in Gazette No. 303, Dt. 30-05-2006 and Gazette No.163, Dt.15-06-2015.

14. Further aggrieved by the above orders of the Government issued vide reference 8th cited certain individuals filed W.P.No.12632/2020, 12634/2020,13358/2020, 10393/2020. The Hon'ble High Court of A.P in W.P.No. 12632/2020, 12634/2020,13358/2020 issued interim orders dt. 11-08-2020 as under:

" Learned Government pleader for Services-I seeks time to file counters. Learned counsel for the petitioners strongly object for time being given and pressed for an interim order on the ground that the impugned memo will affect promotions already made and there is every danger of the petitioners being reverted on account of the impugned memo, which is under challenge in the petition.

In view of the urgency claimed by the learned counsel for the petitioners and the grounds raised in the writ petition, there shall be a direction to the respondents to file their counters by 18.08.2020. Failure to file counters by 18.08.2020 would result in order of status quo protecting the petitioners in their respective cadre and the petitioners would not be reverted on account of any changes due to the revised seniority list."

15. In the above three (3) W.Ps Nos: 12632/2020, 12634/2020, 13358/2020 counter affidavits were filed dt: 11.12.2020. The counter in W.P.No. 10393/2020 was filed in 18.02.2021. The same are pending before the Hon'ble High Court.

16. In the meantime Smt M.Sunitha Rani, DCTO filed W.P.No. 6225/2021 for implementation of the Government orders issued vide Government Memo.No. 34022/105/2017-CT.I, Dt:19.03.2020. The Hon'ble High Court vide reference 9th cited issued interim orders as under :

"Learned Government Pleader for Services-I seeks time to file Counter Affidavit.

Post matter after three (3) Weeks.

Meanwhile, the 2nd respondent is directed to implement the direction issued by the Government vide Government Memo. No. 34022/105/2017-CT.I, Dt:19.03.2020, as an interim measure and till completion of exercise in terms of para of the above Memo not to promote any other officers to the next higher cadre i.e. CTO from the cadre of DCTO."

17. Further, it is informed that the Government vide G.O.Rt.No.5, Revenue (CT-1) Department, dated 01-01-2019 issued relaxation of Rule 16 (h) of AP State and Subordinate Service Rules, 1996 to certain DCTOs. Aggrieved by the orders of the Government certain DCTOs filed W.P.No. 4929/2020 and 15538/2019. The Hon'ble High Court in W.P.No. 4929/2020 issued interim orders dt.29-2-2020 in W.P.No.4929/2020 suspended, the impugned proceedings in G.O.Rt.No.5 Revenue (CT-I) Department, dated 01-01-2019, and consequentially, the proceedings of the Chief Commissioner of State Taxes, Andhra Pradesh, Vijayawada in CCT's file No.REV03-24022(31)/2/2019-DXZ SEC-CCT, dated 28-05-2019. Counter affidavit in W.P.No. 4929/2020 was filed before the Hon'ble High Court on 30.09.2020. Counter affidavit in W.P.No. 15538/2020 was filed before the Hon'ble High Court on 18.02.2021. The same are pending. Hence, the names of the DCTOs who got relaxation of Rule 16 (h) vide G.O.Rt.No.5 Revenue (CT-I) Department, dated 01-01-2019 are not included in this seniority list.

The following DCTOs are included in the panel year 2004-05 as detailed below.

Name	Panel Year	Zone	Remarks
N.Srikrishna (SC)	2004-05	Zone-II	Basing on Government orders placed in 2004-05 DCTOs Panel in Zone-II
Y.Krishnaveni (SC)	2004-05	Zone-IV	Vide CCTs Ref. No. DXZ(2)/980/2012 dt.21.07.2017 the placements are changed in 2004-05 panel year of DCTOs in Zone-IV
B.Babu Rao (SC)	2004-05	Zone-IV	
Ch.S.S.V.V.S.Prasad	2004-05	Zone-IV	Basing on Government orders placed in 2004-05 DCTOs Panel in Zone-IV
N.Lakshmi Naik (ST)	2004-05	Zone-IV	
A.V.Srinivasa Rao	2004-05	Zone-IV	Vide CCTs Ref.No. 24022 (31)/1/2019 dt.03/05/ 2019 included in 2004-05 DCTOs panel.
Y.V.Krishna Veni (ST)	2004-05	Zone-IV	

In view of the inclusion in 2004-05 DCTOs panel year their junior date of joining as DCTO was assigned and placed them accordingly.

18. In view of the orders of the Government issued vide reference 10th and interim orders of the Hon'ble High Court of A.P. issued vide reference 11th cited in W.P.No.6225/2021, prepared a fresh integrated seniority lists of DCTOs of Andhra Pradesh (Zone-I to IV) for the panel year 2004-05 under the provisions of Rule 34 read with Rule 33(a) of AP State and Sub-ordinate Service Rules and Annexure herewith.

19. The persons of covered by the annexure (Zone-I to IV) to this Show Cause Notice are requested to file their written objections, if any, on the integrated seniority list of DCTOs for the panel year 2004-05 within (10) days from the date of receipt of this Show Cause Notice (or) publication of this Show Cause Notice in the AP Gazette, failing which, it will be construed that they have no objections to the proposed integrated seniority list of DCTOs for the panel year 2004-05 and that orders will be passed without any further notice or time.

20. The proposed State-wide integrated seniority list of DCTOs for the panel year 2004-05 will be subject to the outcome of SLPs / W.Ps/ O.As/ appeals pending if any, before the Supreme Court of India / High Court / A.P.A.T./ Government.

Encl: ANNEXURE

PEEYUSH KUMAR,
Chief Commissioner (ST).

ANNEXURE**CCST's Ref.No:DXZ(3)/397/2015-2, Dt:25-06-2021.****PROPOSED INTEGRATED SENIORITY LIST OF DCTOs OF ZONE-I TO IV FOR THE PANEL YEAR 2004-05**

Sl.No.	Zone	Name of the Individual	Date of Birth	Date of appointment	Working/Retired
1	III	B.Sreelakshmi	15.03.1947	31.12.2004	Retired
2	II	Syed Sarkar Jani	16.01.1951	20.06.2005	Retired
3	II	N.Jagan Mohan Rao	22.04.1951	20.06.2005	Retired
4	IV	N.V.Krishna Reddy	01.07.1965	29.12.2005	
5	IV	P.Y.Chandra Sekhar (SC)	01.06.1953	20.06.2005	Retired
6	IV	C.Ademma (SC)	15.07.1951	20.06.2005	Retired
7	IV	P.Madhu Sudhana Prasad	27.09.1951	20.06.2005	Retired
8	I	A.Kalyani	01.05.1968	20.01.2006	
9	I	S.Srilakshmi	04.04.1965	20.01.2006	
10	I	Ch.Kondamma	01.06.1969	20.01.2006	
11	I	R.Anasuya	04.07.1969	20.01.2006	
12	I	M.Sunitha Rani	04.06.1967	20.01.2006	
13	I	Ch.Achamma (SC-C)	17.07.1951	23.04.2005	Retired
14	I	G.Scethanna Dora (ST)	06.12.1951	23.04.2005	Retired
15	I	N.S.N. Murthy	16.01.1955	23.04.2005	Retired
16	I	SUM Janadev (ST)	01.07.1959	23.04.2005	Retired
17	I	R.Appala Naidu	01.07.1948	23.04.2005	Retired
18	I	N. Madhusudana Rao (CL)	20.05.1949	23.04.2005	Retired
19	IV	S.V.Satyanarayana Murthy	01.07.1958	06.02.2006	Retired
20	IV	S.Ramakrishnaiah (SC)	05.01.1949	20.06.2005	Retired
21	IV	K.Maheswar (ST)	01.07.1955	29.12.2005	Retired
22	IV	R.Thippa Naik (ST)	01.07.1953	20.06.2005	Retired
23	IV	M.Narayana Naik (ST)	01.12.1960	20.06.2005	
24	IV	S.Sankaraiah	01.07.1949	20.06.2005	Retired
25	IV	B.S.L.N.Babu	22.05.1947	02.02.2005	Retired
26	IV	K.Nagaiah	05.05.1947	02.02.2005	Retired
27	IV	G.Rama Rao	01.07.1951	20.06.2005	Retired
28	IV	S.Nageswara Rao (SC)	01.06.1954	06.02.2006	Retired
29	IV	V.Narasaramaiah	15.05.1947	02.02.2005	Retired
30	IV	M.Ravindra Sarma	01.05.1950	06.02.2006	Retired
31	IV	B N Savaranna (SC)	01.06.1948	06.02.2006	Retired
32	IV	M.Harinath Naik (ST)	02.08.1963	06.02.2006	
33	IV	E.Munirathnam (SC)	01.07.1949	06.02.2006	Retired
34	IV	B.Basheer Ahmed	01.06.1951	06.02.2006	Retired
35	IV	M.Mariamamma (SC)	01.07.1949	06.02.2006	Retired

ANNEXURE**CCST's Ref.No:DXZ(3)/397/2015-2, Dt:25-06-2021.****PROPOSED INTEGRATED SENIORITY LIST OF DCTOs OF ZONE-I TO IV FOR
THE PANEL YEAR 2004-05**

36	IV	N.Ch.Narasinga Rao	10.05.1951	06.02.2006	Retired
37	IV	B.Babu Rao (SC)	02.03.1965	06.02.2006	
38	IV	Y.Krishna veni (SC)	15.07.1971	06.02.2006	
39	IV	K.Sivaramaiah (SC)	10.06.1961	06.02.2006	
40	IV	Ch.S.S.V.V.S.Prasad	08.05.1957	06.02.2006	Retired
41	IV	M.Pratap Reddy	16.04.1951	06.02.2006	Retired
42	IV	S.Selvaraj	16.03.1949	06.02.2006	Retired
43	III	R.Sri Devi	04.06.1974	08.11.2007	
44	III	M.Venkateswarlu	01.07.1977	08.11.2007	
45	III	B.Ravi Kumar	31.07.1974	08.11.2007	
46	III	K.Gopi Chandu	16.06.1971	08.11.2007	
47	III	J.Sudha Madhuri (ST)	10.05.1975	08.11.2007	
48	III	A.Santha Ram	04.08.1963	08.11.2007	
49	III	A.V.Ramana Kumar	15.05.1968	08.11.2007	
50	III	A.Raghunadha Babu (SC)	22.07.1962	08.11.2007	
51	IV	N. Chenna Reddy	06.01.1971	05.01.2009	
52	IV	N.Lakshmi Naik (ST)	15.06.1976	05.01.2009	
53	IV	A.V.Srinivasa Rao	10.03.1967	05.01.2009	
54	IV	M.Vasudeva Raju (SC)	18.06.1970	05.01.2009	
55	IV	I. Gayatri	01.06.1972	06.01.2009	
56	IV	A.S.K. Prasad	26.06.1971	05.01.2009	
57	IV	K. Karim Basha	08.06.1971	06.01.2009	
58	IV	K. Noorjahan	01.06.1974	05.01.2009	
59	IV	D. Srinivasulu	06.01.1973	05.01.2009	
60	IV	P. Babu Naik (ST)	02.05.1975	05.01.2009	
61	IV	T.N. Archana	01.08.1974	05.01.2009	
62	IV	C. Ramakrishna	01.06.1971	05.01.2009	
63	II	K.Suvarna Rani (SC)	03.10.1973	03.03.2009	
64	II	K.Sridhar	20.06.1972	03.03.2009	
65	II	E.Rama Devi	15.07.1972	03.03.2009	
66	II	N.Sri Krishna	05.04.1970	03.03.2009	
67	II	V.Srinivas	08.08.1972	03.03.2009	
68	II	B.Mallikarjuna Rao	12.06.1969	03.03.2009	
69	II	T.Subba Rao	08.05.1969	03.03.2009	
70	II	V.Jyothi	15.05.1969	03.03.2009	
71	II	A.Madhavi	21.08.1976	03.03.2009	

ANNEXURE**CCST's Ref.No:DXZ(3)/397/2015-2, Dt:25-06-2021.****PROPOSED INTEGRATED SENIORITY LIST OF DCTOs OF ZONE-I TO IV FOR
THE PANEL YEAR 2004-05**

72	II	T.V.Nageswara Rao	05.05.1972	03.03.2009	
73	II	K.P.Girija Shankari	01.08.1961	03.03.2009	
74	II	K.Vijayalakshmi	15.07.1969	12.08.2010	
75	II	Y.V.Krishna Veni (ST)	26.04.1968	12.08.2010	
76	II	J.Srinivasa Rao	08.03.1975	12.08.2010	
77	II	B.Vijaya Bharathi	15.08.1967	12.08.2010	
78	II	A.Sridhar	07.10.1967	12.08.2010	
79	II	Y.G.V.Ramana Kumari	02.06.1965	12.08.2010	
80	II	V.Yesupadam	19.05.1969	12.08.2010	
81	II	V.Krishna Rao	02.10.1960	12.08.2010	Retired
82	II	G.V.Ratnakar Rao	10.08.1953	20.06.2005	Retired

PEEYUSH KUMAR,
Chief Commissioner (ST).

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